

By: Ellis

S.B. No. 424

A BILL TO BE ENTITLED

AN ACT

relating to the development of a climate adaptation plan by certain entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 5, Health and Safety Code, is amended by adding Chapter 393 to read as follows:

CHAPTER 393. CLIMATE ADAPTATION PLAN

Sec. 393.001. PARTICIPATING ENTITIES. Not later than September 1, 2012, and before the end of each successive four-year period after that date, each of the following entities shall publish a climate adaptation plan that will assess the entity's role with respect to climate change:

(1) the Department of Agriculture;

(2) each independent organization certified under Section 39.151, Utilities Code;

(3) the Texas Commission on Environmental Quality;

(4) the General Land Office;

(5) the Texas Department of Housing and Community Affairs;

(6) the Texas Department of Insurance;

(7) the Parks and Wildlife Department;

(8) the Department of Public Safety of the State of Texas;

(9) the Public Utility Commission of Texas;

- 1 (10) the office of the comptroller;
- 2 (11) the Texas Forest Service; and
- 3 (12) the Texas Water Development Board.

4 Sec. 393.002. PLAN. (a) For the purposes of this chapter,
5 a climate adaptation plan is a strategy to identify, minimize, and
6 adequately prepare for the effects of climate change on the social,
7 economic, and ecological systems of this state and to manage the
8 risks associated with a changing climate. A plan under this chapter
9 must be based on current peer-reviewed climate science that
10 identifies the likely impacts of rising ambient temperatures,
11 rising sea levels, and changes in precipitation patterns on this
12 state.

13 (b) Each climate adaptation plan must include:

- 14 (1) a climate change vulnerability assessment;
- 15 (2) a review of existing programs in the context of
16 anticipated changing climate conditions;
- 17 (3) specific steps necessary for the entity to fulfill
18 its mission during the anticipated climate change;
- 19 (4) an analysis of the effects implementing the steps
20 identified under Subdivision (3) would have on the entity's budget
21 during the next 5 and 10 years;
- 22 (5) potential sources of funding to support the
23 entity's efforts to adapt to climate change;
- 24 (6) a statewide strategy to monitor the continuing
25 effects that climate change may have on the entity's ability to
26 fulfill the entity's missions; and
- 27 (7) a written statement by the Texas state

1 climatologist regarding the adequacy of the scientific basis of the
2 plan.

3 (c) In developing a climate adaptation plan, each entity
4 subject to this chapter shall:

5 (1) consider the most current assessment reports
6 created by the United States Global Change Research Program; and

7 (2) consult with the Texas state climatologist or
8 another climate expert employed at a Texas institution of higher
9 education or nonprofit research institution.

10 (d) Not later than September 1, 2012, and before the end of
11 each successive four-year period after that date, each entity
12 subject to this chapter shall post the entity's climate adaptation
13 plan on a publicly accessible Internet website and electronically
14 submit a copy of the plan to:

15 (1) the governor, lieutenant governor, and speaker of
16 the house of representatives;

17 (2) the presiding officer of each standing committee
18 or subcommittee of the legislature with primary jurisdiction over
19 environmental matters; and

20 (3) the executive director of the Texas Commission on
21 Environmental Quality.

22 (e) Each climate adaptation plan is subject to audit by the
23 state auditor in accordance with Chapter 321, Government Code.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2011.